UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/738,787 | 12/15/2000 | Roger Keith Wiles | 40101/00401 | 4530 |

| | | | EXAMINER |
|---|---|---|---|
| 30636 | 7590 | 10/19/2004 | NGUYEN, VAN H |

FAY KAPLUN & MARCIN, LLP
150 BROADWAY, SUITE 702
NEW YORK, NY 10038

| ART UNIT | PAPER NUMBER |
|---|---|
| 2126 | |

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

| | | Application No. | Applicant(s) | |
|---|---|---|---|---|
| **Office Action Summary** | | 09/738,787 | WILES ET AL. | |
| | | **Examiner** | **Art Unit** | |
| | | VAN H NGUYEN | 2126 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _19 July 2004_.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1,4-10,12,14 and 16-18_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,4-10,12,14 and 16-18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All    b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

| | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) |     Paper No(s)/Mail Date. _____ . |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
|     Paper No(s)/Mail Date _____ . | 6) ☐ Other: _____ . |

## DETAILED ACTION

1.      Claims 1, 4-10, 12, 14, and 16-18 are presented for examination.

### *Response to Arguments*

2.      In view of the appeal brief filed on July 19, 2004, PROSECUTION IS HEREBY

REOPENED. A new ground of rejection is set forth below.

3..      To avoid abandonment of the application, appellant must exercise one of the following

two options:

        (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

        (2) request reinstatement of the appeal.

4.      If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

### *Claim Objections*

5.      Claim 17 is objected to because of the following informalities:

        "the a data object" (claim 17, line 3) should read "the data object"

        Appropriate correction is required.

## *Claim Rejections - 35 USC § 103*

6.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

> This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7.      Claims 1, 4-10, 12, 14, and 16-18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Burnett et al.** (U.S. 6,006,018).

8.      **As to claim 14,** Burnett teaches the invention substantially as claimed including a system

for managing communications among a plurality of components of a computing system (see fig.1

and the associated text) comprising:

a consumer component (e.g., consumers of objects; col.7, lines 56-60);

a plurality of producer components (e.g., object producers; col.8, lines 6-7), each of the

producer components including a data object (e.g., the object; col.8, lines 6-7) and a component

module (e.g., details of the object producer; col.8, lines 41-42), the component module including

information identifying (e.g., a NFS request is uniquely identified; col.7, lines 26-28) the data

object and an object handler (e.g., the handle; col.7, lines 16-19) to interact with the data object;

and

an intermediary module (e.g., the immediate authenticator; col.8, lines 14-15 and fig. 3)

receiving from the consumer component requests for data objects (e.g., responds to NSF server

requests; col.8, lines 17-19 and fig. 4), wherein, upon receipt of a consumer component request,

the intermediary module identifies the component module which includes the data to identify the

requested data object (see fig.3 and the associated text on col.6, lines 39-57).

Burnett does not specifically teach "consults a register."

It would have been obvious to one of ordinary skill in the art to have applied the

teachings of Burnett to include "consults a register" because Burnett's teachings would have

provided an efficient mechanism for controlling communication of components in a distributed

computing environment.

The fact that Burnett's teachings "the dfsrai presents the credential to the intermediate

authenticator which registered to the dfsrai" (col.8, lines 28-30) and the purpose of presenting the

credential to the intermediate authenticator in Burnett suggests "consults a register."

9.      **As to claim 16,** Burnett teaches the system operates a switch (e.g., the virtual filesystem

switch; col.8, lines 19-20).

10.     **As to claim 17,** Burnett teaches the intermediary module receives a plurality of requests

from the consumer component including, among other things, at least one of a request to retrieve

a value in the a data object from the producer component (col.8, lines15-18).

11.    **As to claim 18,** Burnett teaches a hybrid component which, under predetermined

conditions, acts as a consumer component and which otherwise acts as a producer component

(col.7, lines 52-67).

12.    **As to claim 10,** the rejection of claim 14 above is incorporated herein in full.

Additionally, Burnett further teaches a register (e.g., register; col.6, line 51 and col.8, lines 28-

30) and a dispatch component to route a request for the data object received from a second

one of the components, the dispatch component correlating the requested data object to the

component module including the requested data object, the correlation including the generation

of a record including at least a portion of the identifying information included in the component

module (col.6, lines 58-65).

14.    **As to claim 12,** Burnett teaches a configuration component containing configuration

parameters for the manageable entities; and a utility for generating the manageable entities using

the configuration component (col.8, lines 1-13).

14.    **As to claim 1,** the rejection of claim 14 above is incorporated herein in full.

Additionally, Burnett further teaches creating a producer component including a data object

(col.8, lines 6-9) and forwarding the request to the component module which interacts with the

data object through the object handler (col.7, lines 16-19).

15.    **As to claim 4,** it includes the same subject matter as in claim 18 above, and is similarly

rejected under the same rationale.

16.    **As to claim 5,** Burnett teaches all of the components reside on a single processor (col.6,

lines 39-45).

17.     **As to claim 6,** it includes the same subject matter as in claim 17 above, and is similarly

rejected under the same rationale.

18.     **As to claim 7,** Burnett teaches the intermediary module performs the correlating step

using, among other things, one of a hash table (e.g., a hashed list; col.11, lines 28-30).

19.     **As to claim 8,** it includes the same subject matter as in claim 16 above, and is similarly

rejected under the same rationale.

20.     **As to claim 9,** Burnett teaches deleting from the register reference to a deleted

component which has been decoupled from the intermediary module (col.6, lines 53-57).


## *Conclusion*


21.     The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

        - Conway (U.S. 6272672) teaches "Dataflow processing with events"


22.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VAN H. NGUYEN whose telephone number is (703) 306

-5971. **After mid-October, 2004, the examiner can be reached at (571) 272-3765.** The

examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner
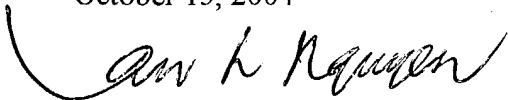
can also be reached on alternative Friday.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703) 305-9678.

The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


October 15, 2004

Van H. Nguyen